UNITED STATES PATENT AND TRADEMARK OFFICE

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10/647,374	08/26/2003	Takaaki Hosoda	SAT 196	2055

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EXAMINER
POPOVICI, DOV

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *26 August 2003*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-15* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-15* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☒ All   b) ☐ Some * c) ☐ None of:
      1. ☒ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

On page 2, line 18, "Fig. 3" should be --Fig. 3(a) and Fig. 3(b)--.

On page 6, line 1, "LAN 18." should be deleted.

On page 6, line 4, "Fig. 3" should be --Fig. 3(a) and Fig. 3(b)--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 13 is rejected under 35 U.S.C. 102(e) as being anticipated by Saito (U.S.

Patent # 7,305,440).

As to claim 13, Saito discloses a data communication device (see figures 1-4)

comprising: a data receiving section (35) for receiving data, at least one data outputting

section (46 and/or 26) for putting out said data, a data dividing section (see figures 6, 7,

8-11 and see col. 9, lines 50-56) for dividing said data after recognizing each part

of said data, and a controlling section (see figures 4, and 11, see col. 9, lines 50-56) for

editing said each part of data selectively according to an arrangement offered by the

user, so as to put it out to said outputting section (46 and/or 26); (see figures 4, 6, 7,

and 11, see col. 1, line 50 to col. 2, line 60, col. 3, lines 4-11, col. 8, lines 34-45, col. 9,

lines 39-56, and col. 10, lines 5-7).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-12 and 14-15 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Saito (U.S. Patent # 7,305,440).

As to claim 1 , Saito discloses a data communication device (see figures 1-4)

comprising: a data receiving section (35) for receiving data, at least one data outputting

section (46 and/or 26) for putting out said data, an its own information detecting section

for detecting information which indicates that the sender of said data is the sender (see

figures 6, 7, and 11, see col. 1, line 50 to col. 2, line 60, col. 3, lines 4-11, col. 8, lines

34-45, col. 9, lines 39-56, and col. 10, lines 5-7), and a controlling section (see figure 4)

for output of said data to said data outputting section (46 or 26) when said its own

information detecting section detected said information indicating that the sender of said

data is the sender.

Saito does not specifically teach that the controlling section for limiting output of said data to said data outputting section when said its own information detecting section detected said information indicating that the sender of said data is the sender.

However, Saito does teach (1) that it is possible to identify error mail with reliability even if the mail server does not append original message to the error mail without rewriting the original message (see col. 2, lines 55-60) and (2) error information and the original document are edited to be contained in one page and output, thereby preventing a waste of recording paper (see col. 9, lines 50-56).

Therefore, it would have been obvious to one person having ordinary skill in the art at the time the invention was made and in view of Saito's teaching to have modified Saito wherein: the controlling section for limiting output of said data to said data outputting section when said its own information detecting section detected said information indicating that the sender of said data is the sender.

It would have been obvious to one person having ordinary skill in the art at the time the invention was made to have modified Saito wherein: the controlling section for limiting output of said data to said data outputting section when said its own information detecting section detected said information indicating that the sender of said data is the sender because of the following reason(s): limiting output data only to the error message without outputting the original message (since the user already knows the original message that he or she send) will save paper supply and will prevent a waste of recording paper as taught and suggested by Saito at column 9, lines 50-56. Furthermore, limiting the output to the error message without outputting the original

message send will save time (i.e., processing time) by displaying and/or printing only the error message (i.e., which is a smaller message). This will also reduce the bandwidth requirement for the system.

As to claim 2, Saito as modified discloses wherein said data outputting section is a presenting section (see figure 4, display 46).

As to claim 3, Saito as modified discloses wherein said data outputting section is a printing section (see figure 4, printer 26).

As to claim 4 , Saito as modified discloses wherein said controlling section does not put out said data to said outputting section, when said its own information detecting section detected said information indicating that the sender of said data is the sender (see the discussion made in claim 1 above for more detail).

As to claim 5 , Saito as modified discloses wherein said data is contained in a containing area of memory (29), and said controlling section deletes said data from said containing area when the controlling section does not put out said data to the data outputting section (see the discussion made in claim 1 above for more detail).

As to claim 6, Saito as modified discloses an error detecting section (41; see figures 6-11) for detecting information which indicates that an error in communication of said data was committed (col. 9, line 51-56), wherein said controlling section (see figure 4) limits output content of said data, when an error was detected by said error detecting section and an information indicating that the sender of said data is the sender was detected by said its own information detecting section (see the discussion made in claim 1 above for more detail).

As to claim 7, Saito as modified discloses wherein said error detecting section

(41; see figure 6-11) extracts the communication error information from said data, so as

to put it out to said controlling section (see figure 4), and said controlling section (see

figure 4) puts out the communication error information inputted from said error detecting

section to said outputting section (46 or 26), when an error was detected by said error

detecting section (41; see figure 6-11) and an information indicating that the sender of

said data is the sender was detected by said its own information detecting section (see

the discussion and argument made in claim 1 above for more detail).

As to claim 8, Saito as modified discloses wherein said its own information

detecting section extracts said its own information from said data (see figures 6, 7, and

11, see col. 1, line 50 to col. 2, line 60, col. 3, lines 4-11, col. 8, lines 34-45, col. 9, lines

39-56, and col. 10, lines 5-7).

As to claim 9, Saito as modified discloses wherein said data receiving section

(35) is an electronic mail receiving section (see figure 4; mail receiving section 35) for

receiving electronic mails, further comprising a sending information managing section

(see figures 1-4) for attaching an individual information of said data, which is used by

said its own information detecting section (see figures 6, 7, and 11; see col. 1, line 50 to

col. 2, line 60, col. 3, lines 4-11, col. 8, lines 34-45, col. 9, lines 39-56, and col. 10, lines

5-7) so as to judge whether said data contains the information indicating that the sender

of the data is the sender or not, wherein said controlling section (see figure 4) does not

put out said data to said outputting section, when an error was detected by said error

detecting section (41; see figure 6-11) and an information indicating that the sender of

said data is the sender was detected by said its own information detecting section (see figures 6, 7, and 11, see col. 1, line 50 to col. 2, line 60, col. 3, lines 4-11, col. 8, lines 34-45, col. 9, lines 39-56, and col. 10, lines 5-7 and see the discussion and argument made above in claim 1 for more detail).

As to claim 10, Saito as modified discloses further comprising a text searching section (see figure 7, text arching section 201) for searching part of text from said data, wherein said controlling section (see figure 4) puts out the part of text and error information which is contained in said data, when an error was detected by said error detecting section and an information indicating that the sender of said data is the sender was detected by said its own information detecting section (see figures 6, 7, and 11, see col. 1, line 50 to col. 2, line 60, col. 3, lines 4-11, col. 8, lines 34-45, col. 9, lines 39-56, and col. 10, lines 5-7 and see the discussion and argument made above in claim 1 for more detail).

As to claim 11, Saito as modified discloses further comprising an attached file searching section (see figure 7, original message searching section 202) for searching part of attached file from said data, wherein said controlling section (see figure 4) puts out the part of text, name of attached file and error information, which is contained in said data; when an error was detected by said error detected section (41; see figure 6-11), an information indicating that the sender of said data is the sender was detected by said its own information detecting section (see figures 6, 7, and 11, see col. 1, line 50 to col. 2, line 60, col. 3, lines 4-11, col. 8, lines 34-45, col. 9, lines 39-56, and col. 10, lines

5-7) and at least one file was attached to said data (see the discussion and argument made above in claim 1 for more detail).

As to claim 12, Saito as modified discloses further comprising a decoding section (see figure 3, expanding section 37 and decompressing 38) for decoding encoded file (see figure 3) after detecting the encoding formula of the file attached to said data, wherein said controlling section (see figure 4) puts out the part of text, the content decoded from the attached file and error information, which is contained in said data; when an error was detected by said error detecting section (41; see figure 6-11), an information indicating that the sender of said data is the sender was detected by said its own information detecting section (see figures 6, 7, and 11, see col. 1, line 50 to col. 2, line 60, col. 3, lines 4-11, col. 8, lines 34-45, col. 9, lines 39-56, and col. 10, lines 5-7) and at least one file was attached to said data (see the discussion and argument made above in claim 1 for more detail).

Claim 14 is directed to a data communication method and recites the same or similar claim language as recited in claims 1 and 6-7 above. Applicant is directed to the remarks and the discussion made in claims 1 and 6-7 above since claim 14 is similar and analogous claim.

As to claim 15, Saito as modified discloses wherein limiting output of said received data is to change expression of the output of said received data (see the discussion and argument made in claims 1, 6, 7 and 14 above).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Dov Popovici whose telephone number is 571-272-

4083. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dov Popovici
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